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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Ferrero, S, et al

For: Article Comprising Light Absorbent
Composition to Mask Visual Haze and Related
Methods

Serial No. 10/769,167

Filed: 1/30/2004

) Docket No. MGP.P.US0081
) Art Unit: 1772
)

) Examiner: Charles Dooner
)

) I hereby certify that this correspondence is being
) deposited with the United States Postal Service
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) envelope addressed to Commissioner for Patents,
) P. O. Box 1450 Alexandria, VA 22313-1450 or
) facsimile transmitted to the U.S. Patent and
) Trademark Office on January 6, 2006.
)

) Edwin A. Sisson
) Edwin A. Sisson, Registration No. 48,723
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

INFORMATION DISCLOSURE IN COMPLIANCE WITH 37 C.F.R. §1.98

As a means of complying with the duty of disclosure set forth in 37 C.F.R. §1.56, the Applicants are calling the following to the attention of the Patent Office and request that they be considered by the Examiner:

United States Patent No. 6 174 655

Column 2, line 1 – column 3, line 25

Column 13, line 40 – line 45

United States Patent No. 5 674 618

Whole Document

01/11/2006 NNGUYEN1 00000007 10769167

01 FC:1806

180.00 DP

European Patent EP A-0 921 144 (enclosed)

Page 2, line 45 – page 3, line 5

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.B./

Paragraph '0053!';

Claims

Examples

European Patent EP A-1 167 447 (enclosed)

Whole document

World Patent WO 02/38673 A (enclosed)

Whole document

World Patent WO 03/029349 A (enclosed)

Page 2, paragraphs 3, 4;

Claims

World Patent WO 00/34377 A (enclosed)

Page 5, line 15 - line 20;

Page 21, line 1 – line 7;

Page 21, line 25 – line 28;

Claim 18

These prior art documents were part of the International Preliminary Report on Patentability of the instant specification. The other patents in the Search Report have already been submitted and considered by the Examiner. For completeness these are

United States Patent No. 4 6545 249

column 1, line 67 – column 2, line 27;

column 4, line 52- line 65;

examples

United States Patent No. 5 475 046

Column 1, line 60 – column 2, line 15;

claims

United States Patent No. 5 633 080

Column 2, line 5 – line 24;

Column 2, line 66 – column 3, line 19;

Claims 11, 13

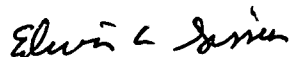
All of these patents may be relevant as they were cited in the preliminary search report. The final version of the search report reads

[United States Patent No. 5 633 080] was considered the closest prior art with the difference between [United States Patent No. 5 633 080] and claim 1 is that in [United States Patent No. 5 633 080], glass spheres are added instead of light absorbent composition which absorbs specifically at wavelength which correspond to the dimensions of the domains of the fillers (380-720nm).

Since there are no comparative examples according to [United States Patent No. 5 633 080] in the present application, the objective technical problem is to provide further polymer (polyester) compositions present no haze effect. In the different documents cites which relate to the decrease of haze and to more clarity of films made with such polyester (polymer) ([United States Patent No. 5 475 046 and United States Patent No. 5 674 618]), such technical problem is not solved by the specific colorants used. It is merely solved by the size reduction of the particles and their amounts in the film.

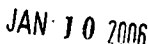
The above-listed references may not be prior art under 35 U.S.C. §102 and this document should not be construed as an admission that any of the above-listed references are prior art within the meaning of 35 U.S.C. §102. A copy of the above foreign patents, Form PTO-1449, the credit card submission form PTO-2038 with an authorized charge of \$180.00 are enclosed herewith. The Commissioner is also authorized to charge any overages or apply any credits to deposit account number 50-3651.

Respectfully submitted,



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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	1
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Complete if Known

Application Number	10/769,167
Filing Date	1/30/2004
First Named Inventor	Ferrero, S
Art Unit	1772
Examiner Name	Charles Dooner
Attorney Docket Number	MGP P US0081

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)				
		EP-A-0921144	06-09-1999	Mitsubishi Chem		
		EP-A-1167447	01-02-2002	Sinco Ricerche		
		WO 02/387673 A	05-16-2002	Valspar Corp		
		WO 03/029349 A	04-10-2003	Sinco Ricerche		
		WO 00/34377 A	06-15-2000	Eastman Chem Co		

Examiner Signature	/Christopher Bruenjes/	Date Considered	03/03/2008
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.B./